

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RUSSELL F. SHEEHAN, as he is ADMINISTRATOR,
ELECTRICAL WORKERS' HEALTH AND
WELFARE FUND, LOCAL 103, I.B.E.W.;
ELECTRICAL WORKERS' PENSION FUND,
LOCAL 103, I.B.E.W.; ELECTRICAL WORKERS'
SUPPLEMENTARY HEALTH AND WELFARE
FUND, LOCAL 103, I.B.E.W.; ELECTRICAL
WORKERS' DEFERRED INCOME FUND,
LOCAL 103, I.B.E.W.; ELECTRICAL WORKERS'
JOINT APPRENTICESHIP AND TRAINING
FUND, LOCAL 103, I.B.E.W.; ELECTRICAL
WORKERS' EDUCATIONAL AND CULTURAL
FUND; ANTHONY J. SALAMONE, as he is
ADMINISTRATOR, NATIONAL ELECTRICAL
BENEFIT FUND; and LOCAL 103, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS,

C.A. No. 04-11970 DPW

Plaintiffs

vs.

A.C. ELECTRICAL SYSTEMS, INC.,
Defendant

and

SOVEREIGN BANK,
Trustee

AFFIDAVIT OF RUSSELL SHEEHAN

1. My name is Russell Sheehan. I am the Administrator of the Electrical Workers Employee Benefit Funds, Local 103, I.B.E.W.
2. A.C. Electrical Systems, Inc. ("A.C. Electrical") is signatory to a collective bargaining agreement ("Agreement") with Local 103, I.B.E.W. which binds it to the Trust Funds

of each of the Plaintiff Funds. The Agreement obligates A.C. Electrical to contribute to the Funds for every hour worked by its covered employees. Payments must be made by the 15th of the month, following the month in which the work is performed. Pursuant to the terms of the Agreement, A.C. Electrical is also obligated to submit, with the fringe benefit contributions, the dues that it has deducted from its employees' wages. These payments must be submitted with payroll reports, listing the names of the covered employees, the hours worked and the amounts paid.

3. The Agreement also obligates A.C. Electrical to submit to payroll audits upon reasonable request.

4. A.C. Electrical has failed to submit payroll reports to the Funds for work performed since February, 2004 or to forward the dues that it has deducted from its employees' wages. Until the Funds audit A.C. Electrical's records, we cannot ascertain the full extent of the Company's liability.

5. Letters were sent by our attorneys to A.C. Electrical, notifying it of its liability. Our attorneys have also written A.C. Electrical seeking an audit and payment of the outstanding liability and have received no response to date.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 9 DAY OF DECEMBER, 2004.

CERTIFICATE OF SERVICE
I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail on 12/14/04
Bryan A. Steiner

Russell Sheehan
Russell Sheehan